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UNCLAS SAN JOSE 002744

SIPDIS

DEPARTMENT FOR WHA/CCA AND WHA/CEN JASON MACK

E.O. 12958: N/A

TAGS: [ETRD](#) [ETTC](#) [PREL](#) [CS](#)

SUBJECT: COSTA RICA: SUSPENSION OF TITLE III OF THE
LIBERTAD ACT

REF: A. SECSTATE 207359

[B](#). SAN JOSE 1303

[C](#). 04 SAN JOSE 3225

[1](#)1. Costa Rica remains an outspoken critic of the Castro government and a faithful supporter of governmental and human rights reforms in Cuba. Costa Rica severed diplomatic ties with Cuba in 1961, and has shown no signs that it would consider re-establishing formal relations with the Castro government. In the interest of strengthening regional support for U.S. policies in Cuba, the USG should continue to waive the right to bring an action against Costa Rican entities under Title III of the Libertad Act.

[1](#)2. During the latter half of 2005, Costa Rica continued its long-standing, mostly passive opposition to the Castro regime in Cuba. Costa Rica's long-held democratic principles dictate that it oppose oppressive regimes generally; its proximity to Cuba demands that Costa Rica specifically oppose the Castro government. Apart from the April session of the UN Commission on Human Rights, in which Costa Rica split from its Central American neighbors to co-sponsor a resolution condemning Cuba's human rights record, Costa Rica had few formal opportunities to address Cuba on the international stage.

[1](#)3. As in past years, Costa Rica joined international calls for an end to the U.S. economic embargo of Cuba at both the UN General Assembly and at October's Ibero-American Summit in Salamanca, Spain. This stance should not be read as support for the Castro regime, but rather a disagreement over tactics.

[1](#)4. Costa Rica has continued to accept refugees from Cuba, both through direct applications and by participation in regional refugee resettlement programs. By law, Costa Rican immigration officials are legally prohibited from returning travelers to Cuba against their will. Once they arrive in Costa Rica, any Cuban national may claim asylum and petition for refugee status. Costa Rican officials then work closely with the UNHCR to determine placement for the refugee. Through the first six months of 2005, the Office of Immigration had received 38 applications for refugee status.

[1](#)5. Per instructions in reftel A, post attempted to identify any Costa Rican investments in Cuba. All of our inquiries had negative results.

FRISBIE